

PATENT  
Customer No. 22,852  
Attorney Docket No. 08203.0003-02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
John BUTLER et al. ) Group Art Unit: 3731  
Application No.: 10/635,909 ) Examiner: Unknown  
Filed: August 7, 2003 )  
For: DEVICE )

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

With the exception of two (2) references, the documents listed in the 1449 form were previously cited in a prior Application No. 09/804,418, filed March 13, 2001, upon which Applicants rely for the benefits of 35 U.S.C. § 120. Under the provisions of 37 C.F.R. § 1.98(d), copies of these previously-cited documents are not being submitted herewith.

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Copies of the two references that were not cited in prior Application No. 09/804,418, are submitted herewith.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached 1449 form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 30, 2003

By:

  
Michael L. Woods  
Reg. No. 50,811



## INFORMATION DISCLOSURE CITATION

Atty. Docket No. 08203-0003-02	Application No. 10/635,909
Applicants John BUTLER et al.	
Filing Date August 7, 2003	Group: 3731

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	1,598,284	08/1926	Kinney			
	3,244,169	04/1966	Baxter			
	3,347,226	10/1967	Harrower			
	3,347,227	10/1967	Harrower			
	3,397,692	08/1968	Creager, Jr. et al.			
	3,522,800	08/1970	Lesser			
	3,797,478	03/1974	Walsh et al.			
	3,915,171	10/1975	Shermeta			
	4,228,792	10/1980	Rhys-Davies			
	5,045,070	09/1991	Grodecki et al.			
	5,158,553	10/1992	Berry et al.			
	5,161,773	11/1992	Tower			
	5,213,114	05/1993	Bailey, Jr.			
	5,342,385	08/1994	Norelli et al.			
	5,350,364	09/1994	Stephens et al.			
	5,364,345	11/1994	Lowery et al.			
	5,366,478	11/1994	Brinkerhoff et al.			
	5,391,156	02/1995	Hildwein et al.			
	5,480,410	01/1996	Cuschieri et al.			
	5,514,133	05/1996	Golub et al.			
	5,522,791	06/1996	Leyva			

Examiner	Date Considered
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,524,644	06/1996	Crook			
	5,526,536	06/1996	Cartmill			
	5,545,179	08/1996	Williamson, IV			
	5,634,911	06/1997	Hermann et al.			
	5,634,937	06/1997	Mollenauer et al.			
	5,636,645	06/1997	Ou			
	5,640,977	06/1997	Leahy et al.			
	5,649,550	07/1997	Crook			
	5,653,705	08/1997	de la Torre et al.			
	5,672,168	09/1997	de la Torre et al.			
	5,741,234	04/1998	Aboul-Hosn			
	5,741,298	04/1998	MacLeod			
	5,803,921	09/1998	Bonadio			
	5,810,721	09/1998	Mueller et al.			
	5,813,409	09/1998	Leahy et al.			
	5,832,925	11/1998	Rothrum			
	5,853,395	12/1998	Crook et al.			
	5,899,208	05/1999	Bonadio			
	5,906,577	05/1999	Beane et al.			
	5,947,922	09/1999	MacLeod			
.	5,957,913	09/1999	de la Torre et al.			

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Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
O P E J C O DEC 3 0 2003 PATENT & TRADEMARK OFFICE	5,964,781	10/1999	Mollenauer et al.			
	5,997,515	12/1999	de la Torre et al.			
	6,033,426	03/2000	Kaji			
	6,033,428	03/2000	Sardella			
	6,042,573	03/2000	Lucey			
	6,048,309	04/2000	Flom et al.			
	6,077,288	06/2000	Shimomura et al.			
	6,110,154	08/2000	Shimomura et al.			
	6,142,935	11/2000	Flom et al			
	6,142,936	11/2000	Beane et al.			
	6,254,533	07/2001	Fadem et al.			
	6,254,534	07/2001	Butler et al.			
	6,578,577	06/2003	Bonadio et al.			
	6,582,364	06/2003	Butler et al.			

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Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

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## FOREIGN PATENT DOCUMENTS

Examiner Initial*	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
O P E J C 1 D DEC 3 0 2003 O PATENT & TRADEMARK OFFICE	WO 92/11880	07/1992	PCT			
	WO 95/07056	03/1995	PCT			
	WO 95/22289	08/1995	PCT			
	WO 95/27445	10/1995	PCT			
	WO 95/27468	10/1995	PCT			
	WO 96/36283	11/1996	PCT			
	WO 97/32514	09/1997	PCT			
	WO 97/32515	09/1997	PCT			
	WO 98/35614	08/1998	PCT			
	WO 98/48724	11/1998	PCT			
	WO 99/03416	01/1999	PCT			
	WO 99/25268	05/1999	PCT			
	WO 99/29250	06/1999	PCT			
	WO 00/32116	06/2000	PCT			
	WO 00/32117	06/2000	PCT			
	WO 00/32119	06/2000	PCT			
	WO 00/35356	06/2000	PCT			
	WO 00/54675	09/2000	PCT			
	WO 00/54676	09/2000	PCT			
	WO 00/54677	09/2000	PCT			

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O I P E J C I O DEC 30 2003 PATENT & TRADEMARK OFFICE	WO 01/08563	02/2001	PCT			
	WO 01/08581	02/2001	PCT			
	GB 1,151,993	05/1969	UK			
	GB 2,071,502	09/1981	UK			
	GB 2,255,019	10/1992	UK			
	EP 0,950,376	10/1999	Europe			
	1,456,623	09/1966	France			No
	10-108868	04/1998	Japan			No
	DE 37 39 532	12/1988	Germany			No
	DE 37 37 121	05/1989	Germany			No
	DE 296 00 939	06/1998	Germany			No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Original Specification of Application No. 09/801,826, filed March 9, 2001.

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